<u>AMENDMENTS TO THE CLAIMS</u>:

Please cancel Claims 3 and 12 without prejudice to or disclaimer of the subject matter recited therein.

Please amend Claims 1, 6 through 10, and 15 through 17, and add Claims 21 and 22 as follows:

1. (Currently Amended) An image and audio processing apparatus comprising:

<u>an input unit configured to input image data and audio data corresponding thereto;</u>

<u>an</u> image encoding ~~means for encoding~~ <u>unit configured to encode the</u> image data<u>;</u> ~~inputted;~~

<u>a</u> first audio ~~data~~ encoding ~~means for encoding~~ <u>unit configured to encode the</u> audio data ~~inputted together with the image data~~ by ~~using a first~~ <u>an</u> audio encoding method <u>for encoding general audio data</u>;

<u>a</u> second audio ~~data~~ encoding ~~means for encoding~~ <u>unit configured to encode</u> the audio data by ~~using a second~~ <u>another</u> audio encoding method which is ~~different from the first encoding method~~ <u>suitable for encoding speech data</u>;

<u>an</u> image encoding setting ~~means for setting~~ <u>unit configured to set</u> the encoding in said image encoding ~~means~~ <u>unit</u> to encode the image data so that a ~~scene exhibiting a high degree of significance~~ <u>partial region</u> in each of frame images <u>included in the image data</u> is encoded with a high image quality;

~~audio output determination means for selectively outputting the encoded audio data encoded by said first audio data encoding means and the encoded audio data encoded by said second audio data encoding means; and~~

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an audio encoding setting unit configured to set an execution of the encoding in said second audio encoding unit in a case that said image encoding setting unit effects the setting of the encoding; and

a data integration ~~means for integrating, in a predetermined order, data of the frame images encoded with the high image quality in accordance with the setting by said image encoding setting means and the encoded audio data outputted from said audio output determination means corresponding to the period of the frame images encoded with high image quality, and outputting the integrated data,~~ unit configured to integrate encoded audio data encoded by said first audio encoding unit with encoded image data encoded by said image encoding unit in a case that said image encoding setting unit does not effect the setting of the encoding, and to integrate, with the encoded image data encoded by said image encoding unit, a selected one of (a) the encoded audio data encoded by said first audio encoding unit and (b) the encoded audio data encoded by said second audio encoding unit, in a case that said image encoding setting unit effects the setting of the encoding, thereby outputting the integrated encoded data.

~~wherein said image encoding setting means is capable of setting selectively a part of a region in each of arbitrary n (where n is an integer equal to or larger than 1) frame images of a moving image composed of the image data so that this partial region exhibits a high image quality, and~~

~~wherein said audio output determination means outputs the encoded audio data encoded by a predetermined one of said first audio data encoding means and said second audio data encoding means in a case that said image encoding setting means does not effect the setting of the encoding, and compares the encoded audio data encoded by said first audio data encoding means and the encoded audio data encoded by said second audio data encoding means to output the encoded audio data exhibiting higher acoustic quality in~~

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accordance with a comparison result in a case that said image encoding setting means effects the setting of the encoding.

2 - 5. (Cancelled)

6. (Currently Amended) An apparatus according to claim 1, wherein said image encoding setting ~~means~~ unit makes the setting so as to encode a region, with the high image quality, including an arbitrary object in the image data.

7. (Currently Amended) An apparatus according to claim 6, wherein said image encoding setting ~~means~~ unit makes ROI setting of the region including the arbitrary object, and
wherein said image encoding ~~means~~ unit executes ROI encoding.

8. (Currently Amended) An apparatus according to claim 1, wherein said image encoding setting ~~means~~ unit makes the setting so as to encode ~~a~~ the partial region of the image data with the high image quality in accordance with a user's instruction for designating an object displayed on a display screen.

9. (Currently Amended) An apparatus according to claim 8, wherein said image encoding setting ~~means~~ unit makes the ROI setting in accordance with the user's instruction, and wherein said image encoding ~~means~~ unit executes the ROI encoding.

10. (Currently Amended) An image and audio processing method comprising:
an input step of inputting image data and audio data corresponding thereto;

an image encoding step of ~~inputting a moving image and~~ encoding <u>the</u> image data<u>;</u> ~~thereof;~~

a first audio ~~data~~ encoding step of encoding audio data ~~inputted together with the moving image~~ by ~~using a first~~ <u>an</u> audio encoding method <u>for encoding general audio data</u>;

a second audio data encoding step of encoding the audio data by ~~using a second~~ <u>another</u> audio encoding method which is ~~different from the first audio encoding method~~ <u>suitable for encoding speech data</u>;

an image encoding setting step of setting the encoding in said image encoding step to control an image quality of encoded image data in accordance with a partial region in each of frame ~~image of~~ <u>images included in</u> the ~~moving~~ image <u>data</u>;

~~an audio output determination step of selectively outputting the encoded audio data encoded in said first audio data encoding step and the encoded audio data encoded in said second audio data encoding step; and~~

<u>an audio encoding setting step of setting an execution of the encoding in said second audio encoding step in a case that said image encoding setting step effects the setting of the encoding;</u>

a data integration step of integrating<u>,</u> ~~in a predetermined order, data of the frame images encoded with the high image quality in accordance with the setting in said image encoding setting step and the encoded audio data outputted in said audio data output determination step corresponding to the period of the frame images encoded with high image quality, and outputting the integrated data,~~ <u>encoded audio data encoded in said first audio encoding step with encoded image data encoded in said image encoding step in a case that said image encoding setting step does not effect the setting of the encoding, and of integrating, with the encoded image data encoded in said image data encoding step, a selected one of (a) the encoded audio encoded in said first audio encoding step and (b) the encoded audio data encoded in said second audio encoding step, in a case that said image</u>

<u>encoding setting step effects the setting of the encoding, thereby outputting the integrated encoded data.</u>

~~wherein said image encoding setting step is capable of selectively setting, with a high image quality, a part of a region in each of arbitrary n (where n is an integer equal to or larger than 1) frame images of the moving image, and~~

~~wherein said audio output determination step outputs the encoded audio data encoded in a predetermined one of said first audio data encoding step and the said second audio data encoding step in a case that said image encoding setting step does not effect the setting of the encoding, and compares the encoded audio data encoded in said first audio data encoding step and the encoded audio data encoded in said second audio data encoding step to output the encoded audio data exhibiting higher acoustic quality in accordance with a comparison result in a case that said image encoding setting step effects the setting of the encoding.~~

11 - 14. (Cancelled)

15. (Currently Amended) A method according to claim 10, wherein said image encoding setting step ~~involves~~ <u>includes</u> setting so as to encode a region, with the high image quality including an arbitrary object in the image data.

16. (Currently Amended) A method according to claim 15, wherein said image encoding setting step ~~involves~~ <u>includes</u> making ROI setting of the region including the arbitrary object, and
wherein said image encoding step includes executing ROI encoding.

17. (Currently Amended) A method according to claim 10, wherein said image

encoding setting step includes setting so as to encode ~~a~~ <u>the</u> partial region of the image data with the high image quality in accordance with a user's instruction for designating an object displayed on a display screen.

18. (Original) A method according to claim 17, wherein said image encoding setting step includes making the ROI setting in accordance with the user's instruction, and wherein said image encoding step includes executing the ROI encoding.

19. (Original) A storage medium storing a program executable by a data processing apparatus, said program including program codes for realizing an image processing method described in claim 10.

20. (Cancelled)

21. (New) An apparatus according to claim 1, wherein said integration unit selects encoded audio data having higher quality by comparing (a) audio quality of the encoded audio data encoded by said first audio encoding unit and (b) audio quality of the encoded audio data encoded by said second audio encoding unit, and integrates the selected encoded audio data with the encoded image data.

22. (New) A method according to claim 10, wherein said data integration step includes selecting encoded audio data having higher quality by comparing (a) audio quality of the encoded audio data encoded in said first audio encoding step and (b) audio quality of the encoded audio data encoded in said second audio encoding step, and integrating the selected encoded audio data with the encoded image data.